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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/723,712	11/26/2003	Govind A. Kothandapani	60046.0063US01	5857
53377 7590 12/18/2007 HOPE BALDAUFF HARTMAN, LLC 1720 PEACHTREE STREET, N.W SUITE 1010 ATLANTA, GA 30309			EXAMINER VO, TED T	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/723,712

Applicant(s)

KOTHANDAPANI ET AL.

Examiner

Ted T. Vo

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10/12/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17,31-42 and 50-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17,31-42 and 50-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/26/03</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This action is in response to the set of claims filed on 12/30/2004.

Claims 1-17, 31-42, 50-66 are pending in the application.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. The claims 31-42, 50-66 are rejected under 35 U.S.C 101 because the claimed invention is directed to non-statutory subject matter.

As per Claim 31-42: The claims merely recite software elements. For example, the claims comprise a configuration module, descriptions files and a means. The claims are direct to a system. However, the system also covers everything including a program per se that comprises the configuration module, the descriptions files and the means as recited. The claims are program per se.

As per Claim 50-66: The claims merely recite software elements. For example, the claims are direct to a computer product accessible to a computing system; however, the elements that form the product are not known, i.e. it cover the program or software descriptions. The product of claim fails to limit the claim to be statutory. The word "accessible to a computing system" fails to identify the scope of the claim as a tangible hardware product. The claims are program per se.

Claim 66 further recites the product is a communications medium. The communications media includes non-statutory such as energy, signal carrier such as air. This type of claim is not statutory claim.

**Claim Rejections - 35 USC § 102**

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-17, 31-39, 42, 50-66 are rejected under 35 U.S.C. 102(b) as being anticipated by RadiSys, "Platform Management - Universal Developer's Guide", 12-2000.

Given the broadest reasonable interpretation of followed claims in light of the specification.

As per Claim 1: RadiSys discloses,

***A computer-implemented method for configuring a management module (i.e. System Management Software for BMC (See p.2, Figure 1)) for use in monitoring operations associated with a computer system, the method comprising:***

- (a) detecting a first component*** (for example a sensor event defined in a IPMI Command) ***communicatively connected to the management module*** (See p. 2., such as IPMI Command interface), ***wherein the first component*** (a device and its operation present via the command interfaces, IPMI) ***senses and provides to the management module operational information relating to operations associated with the computer system*** (See Figure in p. 2, and further see sensor-events discussed in p. 4-5, such as Alarm module used for detecting the presence of devices to the management software according the chart of the Figure 1 in p. 2);
- (b) identifying a type of information that may be provided by the first component*** (given/defined in

IPMI messages, and message definitions as in Table 2 – For example, The Platform Management Software uses SEL IPMB address to set configuration on a digital sensor () See tables 13-14, p. 22); **(c) creating a configuration file specifying the type of information identified for the first component** (Set of Standard IPMI allows RadiSys' developers to create standard software using interface commands to configure the detect events in IPMI Subsystems to the System Management Software (e.g. Set of Sensor Configuration), This standard software is provided in the layer IPMI API of the Figure 2, and/or including instrumentation within System Management Software (refer to p.1)); **and (d) incorporating the configuration file into the management module such that the management module is operable to receive the identified type of information from the first component** (See Figure 1, IMPI Command set, and RadiSys OEM Command set is incorporated with the system Management software) .

As per Claim 2: RadiSys discloses,

**A method as defined in claim 1, wherein the management module is operable to communicate with a plurality of components of the computer system by way of a plurality of active slave addresses on a communication medium of the computer system, the plurality of active slave addresses being a subset of a plurality of possible slave addresses communicatively accessible to the management module by way of the communication medium, the detecting act (a) comprising:**

**(a)(i) transmitting a discovery request on each of the plurality of possible slave addresses;**

**and**

**(a)(ii) responsive to the transmitting act, receiving an acknowledgement response from the first component indicating that the first component is communicatively accessible on a specific active slave address.** (See the communication diagram between System Management Software and the devices using communication of IPMB slave address, details are in the tables, for example, table 12, p. 21).

As per Claim 3: RadiSys discloses,

***A method as defined in claim 2, wherein the receiving act (a)(ii) comprises:***  
***receiving a plurality of acknowledgement responses from a specific plurality of the plurality of components, each acknowledgement response representing detection of each of the specific plurality of components on one of the plurality of active slave addresses, wherein the first component is one of the specific plurality of components and the specific active slave address is one of the plurality of active slave addresses on which at least one of the specific plurality of components is detected.*** (Details are in the tables)

As per Claim 4: RadiSys discloses,

***A method as defined in claim 3, wherein the transmitting act (a)(i) comprises:***

***(a)(i)(I) issuing a discovery request on a possible slave address*** (details are in the tables, for example IPMI message includes Responder Slave Address);

***(a)(i)(II) after a predetermined period in time has passed from which the discovery request was issued on the slave address, repeating the issuing act until each of the plurality of possible slave addresses have been pinged*** (Refer to watchdog Timer (p. 13, and definition slave address on NetFn/LUN).

As per Claim 5: RadiSys discloses,

***A method as defined in claim 4, wherein the detecting act (a) further comprises:***

***(a)(iii) in response to receiving the acknowledgement responses from each of the specific plurality of components, adding the active slave addresses from which the acknowledgement responses are received to a log file, wherein the log file, when complete, comprises a listing of each of the plurality of active slave addresses.*** (See p. 4, forward events are logged)

As per Claim 6: RadiSys discloses,

***A method as defined in claim 5, wherein the identifying act (b) comprises:***

***(b)(i) traversing the listing in the log file to extract therefrom an active slave address; (b)(ii)***

***issuing an identification request to the extracted active slave address;***

***(b)(iii) receiving information from one of the specific plurality of components communicatively***

***accessible on the extracted active slave address; and***

***(b)(iv) analyzing the received information to identify a type of information that may be provided by the component communicatively accessible on the extracted active slave address*** (All the commands such as in the table 2, provide event logging, and the event logs provide the user to analyze detecting events in the IPMI subsystem as of Figure 1) .

As per Claim 7: RadiSys discloses,

***A method as defined in claim 6, wherein the extracted active slave address is the specific active slave address and the one of the specific plurality of components is the first component.*** (provided by IPMI message issued as being associated with detected event sensor)

As per Claim 8: RadiSys discloses,

***A method as defined in claim 6, wherein the identifying act (b) further comprises:***

***(b)(v) repeating the traversing(b)(i),***

***issuing (b)(ii),***

***receiving (b)(iii) and analyzing***

***(b)(iv) act for each of the plurality of active slave addresses included in the listing, wherein the configuration file is created by the creating act to specify the type of information identified for each of the specific plurality of components such that when the configuration file is incorporated into the management module, the management module is consequently operable to receive the identified types of information from each of the specific plurality of components.***

Claim functionality is the same to Claim 6, i.e. the user is manually using the system of Figure 1 to repeat for each slave address of step (b) in Claim 6 (Note a manual acts would read on the guidance of the developer's Guide).

As per Claim 9: RadiSys discloses,

***A method as defined in claim 1, further comprising:***

***(e) defining a plurality of description files, each description file corresponding to a component which may be included within a configuration for the computer system, wherein the plurality of***

***description files each specify a component classification for the component corresponding to each description file and the type of information that may be provided by the component.***

Inherent in the standard software created by the Developer's guide using the configuration commands with respect to a device in the IPMO subsystem.

As per Claim 10: RadiSys discloses,

***A method as defined in claim 9, wherein the identifying act (b) comprises:***

***(b)(i) issuing an identification request on the first slave address, wherein the identification request commands the first component to respond with identification information associated with the first component; and***

***(b)(ii) receiving the identification information from the first component; and***

***(b)(iii) analyzing the identification information against the plurality of description files to determine which of the plurality of description files corresponds to the first component.***

The functionality of the claims is the same to the claim 6. See rationale provided to Claim 6.

As per Claim 11: RadiSys discloses, ***A method as defined in claim 10, wherein the creating act (c) comprises: incorporating the description file corresponding to the first component into the configuration file.*** See Figure 1 – Basically, the claim recites a programming writing manner that is common to programmers.

As per Claim 12: RadiSys discloses,

***A method as defined in claim 11, wherein the identification request is a standard request operable for commanding all components which may be communicatively connected to the management module to respond with identification information*** (See descriptions in the Tables).

As per Claim 13: RadiSys discloses,

***A method as defined in claim 9, wherein each of the plurality of description files comprise an identification routine executable by the management module to create and transmit an identification request to components communicatively accessible on slave addresses, wherein***



***the identification request commands the component corresponding to the description file to respond with a specific acknowledgement that the component is communicatively accessible on a particular slave address, the identifying act (b) comprising:***

***(b)(i) extracting one of the plurality of description files; and***

***(b)(ii) executing the identification routine specified in the extracted description file such that the identification request is transmitted on the first slave address.***

(See descriptions in the Tables, used the commands for interfacing to the System Management Software – When executes the System Management Software or at IPMI API level, the links of an IMPI command set (as in the Tables) do the steps of this claim; particularly, the command set that include slave addresses)

As per Claim 14: RadiSys discloses,

***A method as defined in claim 13, wherein the identifying act (b) further comprises:***

***(b)(iii) if the specific acknowledgement is received from the first component on the first slave address, linking the first component to the extracted description file.*** (See Figure 1, considered to a device in the IPMI subsystem with respect to a sensor configuration defined to that device.

As per Claim 15: RadiSys discloses,

***A method as defined in claim 14, wherein the identifying act (b) further comprises:***

***(b)(iv) if the specific acknowledgement is not received from the first component within a predetermined period in time, repeating the extracting and executing acts for another one of the plurality of description files until the identification information is received from the first component.*** (Refer to the developer using the Watchdog timer, with more timing).

As per Claim 16: RadiSys discloses,

***A method as defined in claim 14, wherein the creating act (c) comprises:  
incorporating the description file linked to the first component into the configuration file (See figure 1).***

As per Claim 17: RadiSys discloses,

***A method as defined in claim 9, wherein the component classification for the first component is sensor and the type of information that may be provided to the management module by the first component is selected from the group consisting of voltages, currents, temperatures, velocity and acceleration (See Figure 1., device type like cooling device in IPMI subsystem).***

As per Claims 31-39, 42: See rationale addressed in the rejection of Claims 1-17.

As per Claims 50-66: See rationale addressed in the rejection of Claims 1-17.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A person shall be entitled to a patent unless –

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over RadiSys, "Platform Management - Universal Developer's Guide", 12-2000.

As per Claims 40-41: Further noted to the claims 40-41: The claims appears to be functionally not related to other elements used in configuring methods as recited in the scope of Claims 1-17. Examiner further requests for restriction so that an issue of a patent application is a single invention.

RadiSys appears associated the developments of the configuration command interface to the System Management Software in a standard computer. Where a standard computer includes standard graphic user interface such as a standard Windows operating system for allowing the user to interact with the inside computer "software" elements.

Official notice is taken that a standard graphical user interface of standard windows would meet the recitations of Claims 40-41 because all software elements need to be visualized, and the Windows is initialized for this purpose. For example, click a file system in a Windows, it provides a user to open system management software because this is a software element. Since a Conjunction feature if it is a file, it'll be viewable via a standard windows. Every created file will present an icon according to its file type.

Therefore, it is obvious to the ordinary in the art at the time of the filing, to include a common graphical user interface with the guide of RadiSys for viewing and editing a file. Otherwise, the developers cannot see anything inside of the baseboard management controller.

### ***Conclusion***

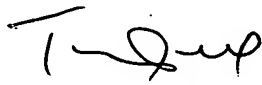
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTV  
December 07, 2007

  
**TED VO  
PRIMARY EXAMINER**